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7 *Attorneys for Defendant*
 8 *eXp Realty, LLC*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 LESLIE HENDERSON,
 12 Plaintiff,
 13
 14 vs.
 15 EXP REALTY, LLC,
 16 Defendant.

Case No. 3:21-cv-00275-MMD-WGC

STIPULATION AND ORDER TO:

- (1) DISMISS PLAINTIFF'S SECOND CAUSE OF ACTION FOR RETALIATION; AND**
- (2) ALLOW PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT**

19 IT IS HEREBY STIPULATED by and between Plaintiff Leslie Henderson ("Plaintiff"),
 20 through her counsel the Law Office of Mark Mausert, and Defendant eXp Realty, LLC
 21 ("Defendant"), through its counsel Jackson Lewis P.C., as follows:
 22

23 1. Plaintiff's Complaint was filed in this Court on June 18, 2021. ECF No. 1. The
 24 parties, with the Court's permission, stipulated on three occasions to extend the time for Defendant
 25 to file its response to Plaintiff's Complaint. ECF Nos. 7, 9 and 11. Currently, Defendant's response
 26 is due on August 31, 2021. ECF No. 11.

27 2. Following discussions between counsel for the parties, Plaintiff has agreed with
 28 dismiss her second cause of action for Retaliation, without prejudice, pursuant to FRCP 41(a).

1 3. To further effectuate the intent of the dismissal, the parties agree that Plaintiff shall
2 be permitted, pursuant to FRCP 15(a)(2), to file a First Amended Complaint that is identical to the
3 Complaint, but which does not include the Retaliation claim or its associated allegations.

4 4. The parties agree that the First Amended Complaint shall be filed by September 2,
5 2021, and Defendant's response to the First Amended Complaint shall be filed not later than 14 days
6 thereafter.

7 5. The parties further agree that the August 30, 2021 deadline for Defendant to respond
8 to Plaintiff's Complaint shall be vacated in contemplation of the filing of the First Amended
9 Complaint.

10 6. This Stipulation is made in good faith and not for the purpose of delay.

11 Dated this 31st day of August, 2021.

12 LAW OFFICE OF MARK MAUSERT

13 _____
14 /s/ *Mark Mausert*

15 MARK MAUSERT, ESQ.
16 Nevada Bar No. 2398
17 729 Evans Avenue
18 Reno, Nevada 89152

19 *Attorney for Plaintiff*
20 *Leslie Henderson*

12 JACKSON LEWIS P.C.

13 _____
14 /s/ *Joshua A. Sliker*

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21 *Attorneys for Defendant*
22 *eXp Realty, LLC*

20 **ORDER**

21 IT IS SO ORDERED:



22 _____
23 United States District Court Judge

24 Dated: August 31, 2021